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October 3, 2003

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Facsimile Transmission7 pages including this page

TO: **EXAMINER: Delia M. Ramirez**
ART UNIT: 1652
Fax No.: (703) 308-0294

RE: U.S. Patent Application No. ~~10/153,510~~
10/053,510
Attorney Docket No.: 200116.402C2

☒ Urgent ☐ For Review ☒ Please Confirm Receipt ☐ Please Reply ASAP

Comments:

Please find attached a copy of the Response to Restriction Requirement and Preliminary Amendment, along with return postcard, that was filed March 25, 2003.

PLEASE DELIVER IMMEDIATELY

TO

EXAMINER: Delia M. Ramirez

ART UNIT: 1652

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200116.402C2

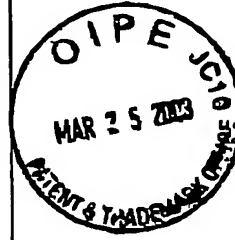
JAU:tt *[signature]*

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

SENT: March 25, 2003

DUE: March 25, 2003

Date Stamp



Kindly acknowledge receipt of the below-listed documents by placing your receiving stamp hereon and mailing:

PTO/SB/21; Response to Restriction Requirement and Preliminary Amendment; in re: Julie D. Saba et al, USAN 10/053,510, filed January 17, 2002, for SPHINGOSINE-1-PHOSPHATE LYASE POLYPEPTIDES, POLYNUCLEOTIDES AND MODULATING AGENTS AND METHODS OF USE THEREFOR.

368422_1.DOC

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EXPRESS MAIL NO. EV207704968US

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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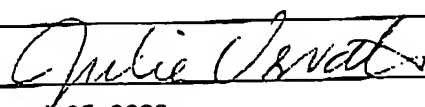
| | | |
|---|----------------------|------------------|
| TRANSMITTAL FORM (To be used for all correspondence after initial filing) | Application Number | 10/053,510 |
| | Filing Date | January 17, 2002 |
| | First Named Inventor | Julie D. Saba |
| | Group Art Unit | 1652 |
| | Examiner Name | Delia M. Ramirez |
| | Attorney Docket No. | 200116.402C2 |

ENCLOSURES (check all that apply)

| | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund | <input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (please identify below): _____ _____ _____ |
|--|---|--|

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|-----------------|---|--|
| Individual Name | Julie A. Urvater, Ph.D., Patent Agent Reg. No. 50,461 |  00500 PATENT TRADEMARK OFFICE |
| Signature |  | |
| Date | March 25, 2003 | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Julie D. Saba et al.
Application No. : 10/053,510
Filed : January 17, 2002
For : SPHINGOSINE-1-PHOSPHATE LYASE POLYPEPTIDES,
POLYNUCLEOTIDES AND MODULATING AGENTS AND
METHODS OF USE THEREFOR

Examiner : Delia M. Ramirez
Art Unit : 1652
Docket No. : 200116.402C2
Date : March 25, 2003

Box Non-Fee Amendment
Commissioner for Patents
Washington, DC 20231

RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

Commissioner for Patents:

In response to the Restriction Requirement dated February 25, 2003, Applicants hereby elect Group II, claims 4-6, directed to a method for identifying an agent that modulates sphingosine-1-phosphate lyase activity.

Prior to examination on the merits, please amend the application as follows:

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.